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12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE EASTERN DISTRICT OF WASHINGTON**

14 **STARLA BRAHAM,**

15 **Plaintiff,**

16 **v.**

17 **AUTOMATED ACCOUNTS, Inc., a**
18 **Washington Corporation; and Michelle**
19 **Doe and John Doe husband and wife**
20 **and marital composed thereof,**
21 **Defendants,**

NO. CV-10-385 EFS

AFFDIAVIT OF SCOTT MILSAP
IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT AND OPPOSITION
TO PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT

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25 **Affidavit of Scott Milsap In Support of Motion**
For Summary Judgment and Opposition to Plaintiffs' Motion for
Summary Judgment **Page 1 of 4**

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1
2 SCOTT MILSAP, being first duly sworn on oath deposes and says:

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4 1. I am over the age of 18 and am competent to testify in court. I make
5 this declaration based on my own personal knowledge of the matters stated
6 herein.
7

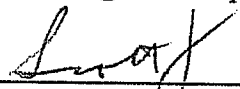
8 2. I am the President of defendant Automated Accounts, Inc. Automated
9 Accounts is a Washington corporation with a principle place of business in the
10 City and County of Spokane, and is a properly licensed collection agency under
11 the Laws of Washington State.
12

13 3. At Automated Accounts we have conducted a survey of our files where
14 we have commenced a lawsuit in the years if 2009, 2010 and 2011. A copy of
15 that summary report is attached. Our computer records do not provide a
16 statistical report of which of our judgments at some point proceeded to an
17 execution to collect on the judgment. My staff conducted a sampling of the cases
18 filed by randomly reviewing the litigation files and we have determined that in
19 approximately twenty five (25) percent of the files reviewed Automated Accounts
20 attempted to garnishment of wages or bank account funds.
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4. Based upon the random sampling done we have estimated the number of judgments that had garnishment that occurred within 90 days of obtaining judgment and the estimated number of garnishments that occurred after 90 days post judgment.

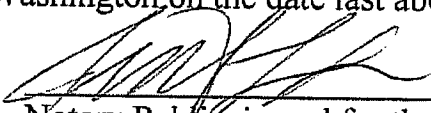
5. I believe this non-scientific analysis fairly represents that Automated Accounts, Inc. regularly proceeds to litigation to collect on assignments received and regularly proceeds to execute on those judgments by garnishment of wages or bank account funds.

DATED this 23rd day of January, 2012, signed at Spokane, Washington.


SCOTT MILSAP, President, Automated Accounts, Inc.

SUBSCRIBED AND SWORN TO before me, a notary public in and for the State of Washington residing at Spokane Washington on the date last above written.




Notary Public, in and for the State of Washington, County of Spokane, my commission expires 02-28-2014

AUTOMATED ACCOUNTS, INC.
SUMMARY OF GARNISHMENTS ISSUED JUDGMENTS
January 17, 2012

JUDGMENTS OBTAINED 2009		
Description	Number	%
Total Judgments Obtained	595	100%
Number Reviewed	149	25%
Sample Garnishments Issued 1-90 days post Judgment	87	58%
Sample Garnishments 91 or more days post Judgment	26	17%
Likely # of Judgments that went immediately to Garnishment	347	
Likely # of Judgments that eventually went to Garnishment	104	
JUDGMENTS OBTAINED 2010		
Description	Number	%
Total Judgments Obtained	686	100%
Number Reviewed	172	25%
Sample Garnishments Issued 1-90 days post Judgment	80	47%
Sample Garnishments 91 or more days post Judgment	12	7%
Likely # of Judgments that went immediately to Garnishment	319	
Likely # of Judgments that eventually went to Garnishment	48	
JUDGMENTS OBTAINED 2011		
Description	Number	%
Total Judgments Obtained	975	100%
Number Reviewed	244	25%
Sample Garnishments Issued 1-90 days post Judgment	140	57%
Sample Garnishments 91 or more days post Judgment	14	6%
Likely # of Judgments that went immediately to Garnishment	559	
Likely # of Judgments that eventually went to Garnishment	56	

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of January 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Kirk D. Miller: kniller@millerlawspokane.com

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant: n/a

/s/ Thomas M. Smith